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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/972,385	10/05/2001	Erik Riedel	10014506-1	5125

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EXAMINER

ABYANEH, ALI S

ART UNIT PAPER NUMBER

2137

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/972,385

Applicant(s)

RIEDEL ET AL.

Examiner

Ali S. Abyaneh

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-27, 32, 33 and 35-39 is/are allowed.
- 6) ☒ Claim(s) 28 and 29 is/are rejected.
- 7) ☐ Claim(s) 30 and 31 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-27, 32, 33 and 35-39 have been allowed.
2. Claims 28-31 are pending
3. Claims 1,2, 12, 15-17, 19-21, 25, 28, 29, 32 and 35 have been amended.
4. Claim 34 has been cancelled.
5. Claims 36-39 have been added as new claims.

Response to applicant's amendments

6. Applicant's arguments filed in 08-16-2005 with respect to claims 28-31 have been fully considered and are persuasive and therefore the claims are rejected under new grounds. The Examiner would like to point out that this action is made final (See MPEP 706.07a).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scheidt et al. (US Publication NO.2002/0062451) in view of Elteto. (European Publication NO. 0636962A2).

Regarding Claim 28

Scheidt teaches an apparatus for controlling access to a file comprising a server having a stored encrypted filename of a file, the server being in communication with a writer and a reader, the writer being a client of the server and having a first key that permits the writer to write to the file and the reader being another client of the server and having a second key wherein the second key permits the reader to read the file ((paragraph [0057]) (examiner considers the symmetric keys or asymmetric key pairs as applicant first and second key)). Scheidt does not explicitly teach **a combination key that comprises a combination of the first key and a second key** which permits the reader to read the file.

However, in an analogous art Elteto, teaches a combination key that comprises a combination of the first key and a second key, which permits the reader to read (decrypt) the file (column 4, lines 45-49). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Scheidt's apparatus to include a combination key that comprises a combination of the first key and a second key which permits the reader to read the file. This would have been obvious because person having ordinary skill in the art at the time

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the invention was made would have been motivated to do so in order to protect distributed encrypted software from unauthorized use and furthermore to provide a key for decrypting the distributed software (column 2, lines 5-10).

Regarding Claim 29

Scheidt and Elteto teach all limitation of the claim as applied to claim 28 above. Scheidt furthermore teaches an apparatus, wherein the stored encrypted filename is obtained by encrypting a filename of the file using the combination of the first key and the second key (paragraph [0057]).

Allowable Subject Matter

9. Claim 30 and 31 are objected as being dependent on a rejected claim.

Claim 30 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claimed invention comprises an apparatus, wherein the server determines that the writer is authorized to write to the file by receiving from the writer the filename encrypted using the first key, encrypting the received filename again using the second key thereby forming a twice encrypted

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filename and comparing the twice encrypted filename to the stored encrypted filename.

Claim 31 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The claimed invention comprises an apparatus, wherein the server determines that the writer is authorized to write to the file by receiving from the writer the filename encrypted using the first key, applying a hash function to the received filename thereby forming a computed hash value and comparing the computed hash value to a stored hash value.

Examiner's statement for reason for allowance

10. Claim 1-27 and 32, 33, 35-39 have been allowed.

The following is an examiner's statement for allowance:

The prior art of record teaches the claimed invention substantially, but it fails to teach or suggest following limitation:

As per claim 1, the prior art (U.S. Publication NO 2002/0194484) of record teach a method of file access control comprising: storing encrypted filename of a file at a location in a computing system (paragraph [0033] and [0034]); converting the encrypted filename into a plaintext filename (paragraph [0156]); modifying the plaintext filename into

a modified filename (paragraph [0160]); and authorizing an entity to access the file for performing a type of operation on the file (paragraph [0119]). However, the prior art taken singly or in combination fail to teach, anticipate or suggest, authorizing an entity to access the file for performing a write operation on the file by comparing the modified filename to the stored encrypted filename. Consequently, claim 1 is allowed over the prior art. Therefore, claim 1 is allowable.

Claims 2-14, which are directly or indirectly dependents of claim 1 are also allowable over the prior art of record.

As per claim 15, the prior art (U.S. Publication NO 2002/0194484) of record teach a an apparatus for controlling access to a file, comprising: a server for the storing an encrypted filename associated with a file; and a client in communication with the server for retrieving the encrypted filename from the server (paragraph [0031], [0033] and [0034]), for converting the encrypted filename into a plaintext filename (paragraph [0156]) and for modifying the plaintext filename into a modified filename (paragraph [0160]), wherein the client provides the modified filename to the server and wherein the server determines whether the client is authorized to perform a type of operation on the file (paragraph [0119]). However, the prior art fails to teach, anticipate or suggest, the server determining whether the client is authorized to perform a write operation

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on the file by comparing the modified filename received from the client to the stored encrypted filename. Consequently, claim 15 is allowed over the prior art. Therefore, claim 15 is allowable.

Claims 16-27, which are directly or indirectly dependents of claim 15 are also allowable over the prior art of record.

As per claim 32, the prior art (U.S. Publication NO 2002/0194484) of record teach a an apparatus for controlling access to a file comprising a server having a first stored encrypted filename of the file and a second stored encrypted filename of the file (paragraph [0031], [0033] and [0034]), the server being in communication with a writer and a reader, the writer being a client of the server and the reader being another client of the server and having a key that permits the reader to read the file(paragraph [0119]). However, the prior art fails to teach, anticipate or suggest, writer having a firs key that permits the writer to write to the file and the server determining whether the writer is authorized to write to the file by receiving from the writer the filename encrypted using the second key and comparing the received filename to the second stored encrypted filename. Consequently, claim 32 is allowed over the prior art. Therefore, claim 32 is allowable.

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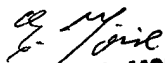
Claims 33 and 35-39, which are directly or indirectly dependents of claim 15 are also allowable over the prior art of record.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Ali Abyaneh *A.A*
Patent Examiner
Art Unit 2137
1/20/06


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER